

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**JORGE L. SANTOS ROSADO
LUZ D. MOLINA CORDERO
DEBTOR(S)**

**CASE NO. 10-07080-ESL13
CHAPTER 13**

MOTION FOR CONTINUATION OF AUTOMATIC STAY

TO THE HONORABLE COURT:

COMES NOW the petitioners captioned above (hereinafter referred to as "Debtors"), through the undersigned attorney, and very respectfully move this Honorable Court, pursuant to 11 U.S.C. § 362(c)(3)(B) and P.R. LBR 4001-5, for an order continuing the automatic stay provided under 11 U.S.C. § 362(a) as to all creditors and for such stay to remain in effect for the duration of this chapter 13 proceeding or until such time as the stay is terminated under §362(c)(1) or (c)(2), or a motion for relief is granted under §362(d). In support of this motion, the Debtors state as follows:

1. The debtor filed the present petition under chapter on August 4, 2010.
2. The debtor had previously filed a chapter 13 case, case number 08-05111-BKT13 which was dismissed on August 4, 2009. The Order Discharging Trustee and Closing Estate were subsequently entered on March 8, 2010. At the time the case was dismissed there were no pending motions to lift the automatic stay, nor had the Court granted any motion terminating, conditioning or limiting the stay.
3. The debtor's prior chapter 13 case was the only previous case by the debtor pending under such chapter or under chapter 7 during the preceding year.

4. The debtor's prior chapter 13 case was not dismissed pursuant to the provisions of 11 U.S.C. § 707(b).

5. Also, the following changes in Debtors' circumstances have occurred:

a. After the Dismissal of the Case Debtors requested the modification of their mortgage loan through the Payment Assistance Agreement (hereinafter referred to as the "Agreement") of the Rural Housing Service of the United States Department of Agriculture (hereinafter referred to as "USDA/RHS"), Form RD 1944-14.

b. Attached to the Agreement, a Statement of Income and Expenses or Budget, From RD 1944-3. The attachment contains the USDA/RHS verification of the projected income and expenses, deemed as reasonable.

c. Under the pre-approved proposed Agreement, the monthly mortgage note installment of \$1,039.63 would be paid as follows: the amount of \$628.13 by the borrowing debtors and the amount of \$411.50 by the monthly payment assistance.

d. By July 1, 2010, the Form Agreement was completed and signed by the borrowers at the USDA/RHS office of Corozal, Puerto Rico.

e. It was in the process of final approval, revision or cancellation by the authorized official of that agency, when debtors became were informed by the USDA/RHS in Corozal that their Agreement could not be processed because Notice Of Sale in Foreclosure Of Mortgage was issued by the United States Court for the District of Puerto Rico in Civil Case No. 07-1901 (JAF) to be on the 5th of August, 2010 at 11:00 a.m., in the Office of the Marshall for the Superior Court of Puerto Rico, Bayamón Part, at the Centro Judicial de Bayamón, Puerto Rico.

6. Debtors respectfully submit to this Honorable Court that their petition and proposed plan were filed in good faith, supported by the change in circumstances mentioned above, shall the process of Payment Assistance Agreement with the USDA/RHS be permitted to conclude, and not just because it is in its foreclosure phase.

7. Moreover, Debtors respectfully request this Honorable Court to shorten the time for completion of the “notice and a hearing” term to twenty one (21) days in order to resolve the extent of the stay relief requested herein before the expiration of the 30-day period provided for by 11 U.S.C. Section 362 (c) (3) (A).

WHEREFORE the appearing party prays from this Honorable Court to continue the automatic stay under 11 U.S.C. § 362 (a) as to all Creditors for the duration of this chapter 13 proceeding, or until such time as the stay is terminated under § 362 (c) (1) or (c) (2), or a motion for relief is granted under § 362 (d).

NOTICE AND OPPORTUNITY FOR HEARING

Pursuant to LBR 4001-5 and General Order No. 09-02 (G.O. 09-02) as it may be applicable, all parties in interest are hereby granted **fourteen (14) days** from the date of this notice to request a hearing and file an opposition to this motion. If no opposition is filed within the prescribed period of time the Court may enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed the Court will schedule the motion for a hearing as contested matter within twenty one (21) days of the filing of this motion. Absent good cause, untimely rejection shall be denied.

CERTIFICATE OF SERVICE

I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification of such filing to all creditors and parties in interest who are CM/ECF participants in this case. I hereby certify that I mailed this document by First Class Mail postage prepaid to the non CM/ECF participants included in the master/creditor list of record. Particularly to:

- ROSA EMILIA RODRÍGUEZ-VÉLEZ
United States Attorney
Torre Chardón Suite 1201
305 Carlos E. Chardón Street
San Juan, Puerto Rico 00918
- AGNES I. CORDERO
Assistant U.S. Attorney
Torre Chardón Suite 1201
305 Carlos E. Chardón Street
San Juan, Puerto Rico 00918
Agnes.Cordero@usdoj.gov

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, August 9, 2010.

s/JOSE L. JIMENEZ QUINONES
JOSE L. JIMENEZ QUINONES
USDC-PR 203808
THE HATO REY CENTER, STE. 1118
268 AVE. PONCE DE LEON
SAN JUAN, PR 00918
TEL. (787) 282-9009
Mobile (787) 691-3458
FAX 1-866-326-9416
jimenezlawoffice@gmail.com
jljimenez11@gmail.com

SANTOS ROSADO, JORGE L
Po Box 90000
PMB 9080
Corozal, PR 00783

CAPITAL ONE BANK
PO BOX 650007
DALLAS, TX 75265-0007

FORD MOTOR CREDIT COMPANY
POB 542000
OMAHA, NE 68154

Molina Cordero, LUZ D
PO BOxX090000
PMB 3080
CORIZAL, PR 00783

CINGULAR
PO BOX 15067
San Juan, PR 00902-8567

GEMB/ SAM'S CLUB
PO BOX 981400
EL PASO, TX 79998

JIMENEZ - QUINONES LAW OFFICES
268 AVE PONCE DE LEON STE 1118
SAN JUAN, PR 00918-2007

CINGULAR WIRELESS
PO BOX 15067
SAN JUAN, PR 00902-8567

Gemb/sams Club
Po Box 981400
El Paso, TX 79998

AFNI, INC.
PO BOX 3097
BLOOMINGTON, IL 61702

CITIBANK
701 E 60TH ST N
SIOUX FALLS, SD 57104

Hsbc/tax
90 Christiana Road
New Castle, DE 19720

Afni, Inc. (original Creditor:cingu
Po Box 3427
Bloomington, IL 61702

Citifinanc
300 Saint Paul Place
Baltimore, MD 21202

Hsbc/tax
200 Somerset Copor
Bridgewater, NJ 08807

ARROW FINANCIAL SERVICES
5996 W TOUHY AVE
NILES, IL 60714

COMMOLOCO
PO BOX 1011
BAYAMON, PR 00960-1011

LCDA. AGNES I. CORDERO
TORRE CHARDON SUITE 1201
350 CARLOS E. CHARDON STREET
SAN JUAN, PR 00918

AT&T MOBILITY
PO BOX 15067
SAN JUAN, PR 00902-8567

LCDO. EFRAIN HERNANDEZ ALICEA
URB SAN FELIZ A-1 CALLE 1
CORIZAL, PR 00783

AUTORIDAD DE ACUEDUCTOS Y
ALCANTARILLADO
P.O. BOX 7066
SAN JUAN, PR 00916-7066

DEPARTAMENTO DE HACIENDA
BANKRUPTCY SECTION
PO BOX 9024140
SAN JUAN, PR 00902

LIBERTY CABLEVISION
ROAD 993 KM 0.2 LUQUILLO IND PARK
LUQUILLO, PR 00773

BLITZ RECOVERY SERVICES INC
BUILDING BBVA SUITE 202
CALLE AMARILLO 1738 BOX 28
SAN JUAN, PR 00926

DTOP
PO BOX 9022501
SAN JUAN, PR 00902-2501

Liberty Cblv
Road 993 Km 0.2 Luquillo Ind Park
Luquillo, PR 00773

Cap One
Po Box 85520
Richmond, VA 23285

FIRST PREMIER BANK
PO BOX 5147
SIOUX CITY FALLS, SD 57117-5147

LUIS ORLANDO GUZMAN MALDONADO
PO BOX 180
CORIZAL, PR 00783

M-berrios
P.o. Box 674
Cidra, PR 00639

UNIVERSAL FIDELITY LP
PO BOX 941911
HOUSTON, TX 77094-8911

Mueb Berrios
Aptdo 674
Cidra, PR 00739

USDA RURAL HOUSING
PO BOX 66879
ST. LOUIS, MO 63166

NCO FINANCIAL SYSTEMS
PO BOX 15630
WILMINGTON, DE 19850

VERIZON WIRELESS
PO BOX 70367
SAN JUAN, PR 00936-8367

Pr Telephone
Pob 70239
San Juan, PR 00936

PUERTO RICO TELEPHONE CO
P.O. BOX 70239
SAN JUAN, PR 00936-0239

SUNCOM
PO BOX 70888
CHARLOTTE, NC 28272-0888

SUNCOM
BANKRUPTCY DIV.
PO BOX 64566
BALTIMORE, MD 21246-4566

Suncompr
654 Plaza Ave Munoz Rivera
San Juan, PR 00918

TRANSWORLD SYSTEMS INC.
PO BOX 1864
SANTA ROSA, CA 95402